

OCT 16 2024

BY MAIL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION
Case: 4:24-cv-01316-MTS

STATE OF MISSOURI,
et al.

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
EDUCATION, et al

Defendants.

**ERWIN ROSENBERG'S REPLY IN SUPPORT MOTION TO INTERVENE AS
OF RIGHT AND/OR PERMISSIVELY**

Plaintiffs have not filed an opposition to Erwin Rosenberg's motion to intervene.

Defendants have filed an opposition. In US v. Metropolitan St. Louis Sewer Dist., 569 F. 3d 829, 839 (8th Cir. 2009) the Court said "MIEC must also demonstrate that the subject matter of the action affects its interests in a direct rather than tangential way". Erwin Rosenberg's motion to intervene demonstrates that the subject matter of the action affects its interests in a direct rather than tangential way because it is reasonable that the very large student loan forgiveness plan will increase Rosenberg's future ability to get student loans despite his having not fully paid old student loans as it reflects a policy of a fresh start. In addition, Rosenberg's legally protectible interests in seeking redress for First Amendment violations which arguably caused Rosenberg to not fully pay his student

loans, calls for an opportunity to do so in this case. Defendants have not expressed in their Response any interest in protecting Rosenberg's First Amendment claims in this case. Rosenberg's First Amendemnt claims do share a common law or fact with the Complaint because Defendants could assert that Plaintiffs should be estopped from enforcing the law school student loans because Plaintiffs caused borrowers of such loans to default through Plaintiff's First Amendment violations such as through suspension and disbarments which removed such borrowers from the market of legal services. Defendants may also be able to counterclaim against Plaintiffs to the extent Defendants want to argue that Plaintiffs caused the U.S. to suffer economic loses through unpaid law school loans. Wherefore this Court should grant Erwin Rosenberg's motion to intervene.

CERTIFICATE OF SERVICE

I hereby certify I mailed this document to the Clerk on October 9, 2024 and it will be served upon filing ia CM/ECF per Local Rule 2.12(A)

Respectfully Submitted,


/s/ Erwin Rosenberg

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